

MESSAGE NO: 5070202 MESSAGE DATE: 03/11/2005

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-533-824

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 12/21/2001 TO 06/30/2003

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTIFICATION OF PARTIAL RESCISSION OF THE ADMIN. REVIEW OF THE
ANTIDUMPING DUTY ORDER ON CERTAIN POLYETHYLENE TEREPHTHALATE FILM,
SHEET&STRIP FROM INDIA (A-533-824)

MESSAGE NO: 5070202

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CASES: A - 533 - 824

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PERIOD COVERED: 12 21 2001 TO 06 30 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NOTIFICATION OF PARTIAL RESCISSION OF THE ADMIN. REVIEW
OF THE ANTIDUMPING DUTY ORDER ON CERTAIN POLYETHYLENE
TEREPHTHALATE FILM, SHEET&STRIP FROM INDIA (A-533-824)

1. THE DEPARTMENT OF COMMERCE HAS RESCINDED THE ADMINISTRATIVE
REVIEW OF THE ANTIDUMPING DUTY ORDER ON CERTAIN POLYETHYLENE
TEREPHTHALATE FILM, SHEET AND STRIP FROM INDIA (A-533-824),
COVERING THE PERIOD 12/21/2001 THROUGH 06/30/2003, WITH RESPECT
TO GARWARE POLYESTER LIMITED (GARWARE). THIS ADMINISTRATIVE
REVIEW HAS BEEN RESCINDED WITH RESPECT TO GARWARE AT GARWARE'S
REQUEST. THE NOTICE OF PARTIAL RESCISSION WAS PUBLISHED IN THE
FEDERAL REGISTER ON 08/12/2004 (69 FR 49872). YOU ARE TO ASSESS

ANTIDUMPING DUTIES ON THIS MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD 12/21/2001 THROUGH 06/30/2003 AT THE CASH DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY. LIQUIDATE ALL ENTRIES FROM GARWARE IN ACCORDANCE WITH THIS INSTRUCTION.

2. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

3. THE ASSESSMENT OF ANTIDUMPING DUTIES BY U.S. CUSTOMS AND BORDER PROTECTION (CBP) ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESSES INTEREST ON UNDER PAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED

AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

4. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING

DUTIES DUE.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O4: JDP).

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party